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10 *Common Counsel for the IT Sites Cooperating  
11 Generators Joint Defense Group and the  
12 Montezuma Hills Joint Defense Group, members of  
13 which constitute the Settling Defendants*

14 **IN THE UNITED STATES DISTRICT COURT**

15 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

16  
17 **CALIFORNIA DEPARTMENT OF TOXIC  
18 SUBSTANCES CONTROL and the TOXIC  
19 SUBSTANCES CONTROL ACCOUNT,**

20 Plaintiffs,

21 v.

22 **CHEVRON ORONITE COMPANY LLC,  
23 et al.**

24 Defendants.

25 Case No.: 2:21-cv-01737-DJC-JDP

26 **DEFENDANTS' STATEMENT OF NON-  
27 OPPOSITION TO PLAINTIFFS'  
28 MOTION FOR APPROVAL AND  
ENTRY OF CONSENT DECREE**

Date: January 4, 2024

Time: 1:30 p.m.

Dept: 10 – 13th Floor

Judge: Honorable Daniel J. Calabretta

Trial Date: None

Action Filed: September 24, 2021

1 Defendants respectfully submit this Statement of Non-Opposition regarding the Proposed  
2 Consent Decree, which was lodged with this Court on August 24, 2023. (ECF No. 39-1.)

3 Plaintiffs, the California Department of Toxic Substances Control and the Toxic Substances  
4 Control Account (“Plaintiffs”), currently have a Motion for Approval and Entry of Consent  
5 Decree between Plaintiffs and the Defendants set for hearing before the Court at 1:30 p.m. on  
6 January 4, 2024.

7 Defendants do not oppose entry of the Consent Decree. In fact, they support entry and are  
8 unaware of any opposition.

9 Further, because the Defendants do not oppose entry of the Consent Decree and the Consent  
10 Decree includes provisions with respect to notice, the Defendants respectfully request that the Court  
11 waive any appearance requirements by the Newly Added Defendants.<sup>1</sup>

12 In accordance with the Court’s Standing Order in Civil Cases, Defendants note they wish  
13 for the Consent Decree to be approved and entered without oral argument. If the Court wishes to  
14 hold a hearing, Defendants respectfully request the hearing be remote per E.D. CA. Local Rule  
15 174 (Fed. R. Civ. P. 83). Defendants are aware of the Court’s standing order which “generally  
16 disfavor[s]” remote appearances, but respectfully request the Court’s approval of remote  
17 appearance in this matter if a hearing is necessary.

18 [signature on the following page]

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25 <sup>1</sup> The “Newly Added Defendants” are parties which were added in the amended  
complaints consisting of: Bayer CropScience, Inc.; The Dow Chemical Company; Exxon Mobil  
Corporation; ExxonMobil Oil Corporation; ExxonMobil Pipeline Company LLC; Ford Motor  
Company; Georgia-Pacific LLC; HP Inc.; Mobil Exploration and Producing North America Inc.;  
Mobil Producing Texas & New Mexico Inc.; Pacific Gas and Electric Company; The Procter &  
Gamble Manufacturing Company; Texaco Downstream Properties Inc.; Union Oil Company of  
California.

1 Dated: December 27, 2023

JACKSON WALKER LLP

2 /s/ Daniel E. Vineyard  
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11 *Cooperating Generators Joint Defense*  
12 *Group and the Montezuma Hills Joint*  
13 *Defense Group, members of which*  
14 *constitute the Settling Defendants*

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